

Proposed Information Collection Request Submitted for Public Comment and Recommendations; Unemployment Insurance Benefits Quality Control Program; Notice

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment and Training Administration is soliciting comments concerning the proposed revision of the collection of the Unemployment Insurance Benefits Quality Control program data.

A copy of the proposed changes to the information collection Handbook (ETA Handbook 395) can be obtained by contacting the employee listed below in the contact section of this notice.

DATES: Written comments must be submitted on or before April 5, 1996. Written comments should:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

ADDRESSES: Burman H. Skrable, Unemployment Insurance Service, Employment and Training Administration, U.S. Department of Labor, Room S-4015, 200 Constitution Avenue, NW., Washington, DC 20210,

202-219-5220 (this is not a toll-free number); FAX, 202-219-8506; Internet: eta.sao.skrableb@doleta.gov.

SUPPLEMENTARY INFORMATION

I. Background

Since 1987, all State Employment Security Agencies (SESAs) except the Virgin Islands have been required by regulation at 20 CFR 602 to operate a Benefits Quality Control (BQC) program to assess the accuracy of their Unemployment Insurance (UI) benefit payments. The Department's authority is found at Sections 303(a)(1) and 303(b)(1) of the Social Security Act. The BQC programs operate as follows. Each State draws a weekly sample of payments; annual samples presently average slightly over 800 cases per State, with a range of 480 to 1800. A specially trained staff reviews agency records and contacts the claimant, employers and third parties to verify all the information pertinent to the benefit amount for the sampled week. Since July 1993, investigators have been able to use a mix of in-person and telephone/fax contacts. Using the verified information, they determine what the benefit payment should have been to accord fully with State law and policy. Any differences between the actual and reconstructed payment are underpayment or overpayment errors and are coded into a specially-provided computer along with their types, causes and responsibilities. This information is used by the State and the Department of Labor to estimate the extent of mispayments to monitor program quality, guide possible future program improvements, inform system stakeholders and perform various policy analyses. The program costs approximately \$26 million each year to operate.

The typical investigation requires about 10.5 hours per case and in total the 42,240 cases are estimated to impose a paperwork burden of 133,900 hours. The program is operated under OMB approval number 1205-0245; approval expires 8/31/96.

This fall, as part of a larger effort to put UI performance improvement systems on a consistent basis, a joint workgroup of senior State Employment Security Agency (SESA) managers and Federal staff developed a proposal for modifying BQC to bring it into better balance with other UI performance measurement systems. This proposal also responds to the Department's commitment to the Vice President's National Performance Review (NPR) to "reexamine . . . the BQC program" and determine how BQC's resources can

"best be divided between measurement, analysis and direct support for program improvement" in the context of the larger UI Performance system.

II. Current Actions

This is a request for OMB approval [under the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A))] to revise an existing collection of information previously approved and assigned OMB Control No. 1205-0245. The proposed revision would reduce burden hours by 58,581.

The following changes in BQC are proposed:

- Reductions in sample sizes to 360 cases in the 10 smallest SESAs and 480 in the remainder. This change will cut the annual paperwork burden from 133,900 hours to 75,319. It will also reduce precision: standard errors will increase, ranging from about 10 percent in the smallest States to as much as 100 percent in the largest.
- Greater flexibility in how States verify claims data. Instead of being required to investigate certain portions of UI claims in person, they will have the option of using whatever method is appropriate in the circumstances—in-person, mail, phone, or fax. This should reduce average time to complete a case to about 7.5 hours. It is estimated, however, that if States completely cease in-person investigations, BQC will detect up to 14 percent less dollars overpaid compared with the present protocol.

Type of Review: Revision.

Agency: Employment and Training Administration.

Title: Unemployment Insurance Benefits Quality Control Program.

OMB Number: 1205-0245.

Frequency: Weekly.

Recordkeeping: States are required to follow their State laws regarding public record retention in retaining BQC records.

Affected Public: Individuals; Business; other for-profit/Not-for-profit institutions; Farms; Federal, State, Local, or Tribal Governments.

Number of Respondents: 52.

Estimated Time Per Respondent: 3.17 hours.

Total Estimated Cost: \$26 million.

Total Burden Hours: 75,319 hours.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 30, 1996.
 Mary Ann Wyrsh,
Director, Unemployment Insurance Service.
 [FR Doc. 96-2343 Filed 2-2-96; 8:45 am]
 BILLING CODE 4510-30-M

Employment Standards Administration

Proposed Information Collection Request Submitted for Public Comment and Recommendations; Notice

In the matter of: 1. Payment of Compensation Without Award (LS-206); 2. Certification of Funeral Expenses (LS-265); 3. Notice of Controversion of Right to Compensation (LS-207); 4. Application for Authority to Employ Full-Time Students at Subminimum Wages in Retail or Service Establishments or Agriculture (WH-200-MIS).

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed extension collection of: (1) Payment of Compensation Without Award; (2) Certification of Funeral Expenses; (3) Notice of Controversion of Right to Compensation; (4) Application for Authority to Employ Full-Time Students at Subminimum Wages in Retail or Service Establishments or Agriculture. Copies of the proposed information collection requests can be obtained by contacting the employee listed below in the addressee section of this notice.

DATES: Written comments must be submitted on or before April 8, 1996. The Department of Labor is particularly interested in comments which:

- * evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- * evaluate the accuracy of the agency's estimate of the burden of the

proposed collection of information, including the validity of the methodology and assumptions used;

- * enhance the quality, utility and clarity of the information to be collected; and

- * minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

ADDRESSEE: Ms. Patricia A. Forkel, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 219-7601 (this is not a toll-free number), fax 202-219-6592.

SUPPLEMENTARY INFORMATION:

Payment of Compensation Without Award

I. Background

The Office of Workers' Compensation Programs administers the Longshore and Harbor Workers' Compensation Act, which provides benefits to certain workers injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel. Under the Act, a self-insured employer or insurance carrier is required to pay compensation within 14 days after the employer has knowledge of the injury or death. Upon making the first payment, the employer or carrier must immediately notify the deputy commissioner of the payment. This form has been designated as the form on which report of first payment is to be made.

II. Current Actions

The Department of Labor seeks the extension of approval to collect this information in order to carry out its responsibility to monitor the payment status of a given case.

Certification of Funeral Expenses

I. Background

The Office of Workers' Compensation Programs administers the Longshore and Harbor Workers' Compensation Act, which provides benefits to certain workers injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel. The Act provides that reasonable funeral expenses not to

exceed \$3,000 shall be paid in all compensable death cases. Form LS-265 has been provided for use in submitting the funeral expenses for payment.

II. Current Actions

The Department of Labor seeks the extension of this information collection in order to carry out its responsibility for monitoring and processing death cases. It is used to certify the amount of funeral expenses incurred in the case.

Notice of Controversion of Right to Compensation

I. Background

The Office of Workers' Compensation Programs administers the Longshore and Harbor Workers' Compensation Act, which provides benefits to certain workers injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel. Pursuant to the Act, if an employer controverts the right to compensation he/she shall file with the deputy commissioner in the affected compensation district on or before the fourteenth day after he has knowledge of the alleged injury or death, a notice, in accordance with a form prescribed by the Secretary of Labor, stating that the right to compensation is controverted. This form is used for that purpose.

II. Current Actions

The Department of Labor seeks the extension of approval to collect this information in order to determine the basis for not paying benefits in a case, and to inform the injured claimant of the reason(s) for not paying compensation benefits.

Application for Authority to Employ Full-Time Students at Subminimum Wages in Retail or Service Establishments or Agriculture

I. Background

The Fair Labor Standards Act (FLSA) requires the Secretary of Labor to provide certificates authorizing the employment of full-time students at 65% of the applicable minimum wage in retail or service establishments and in agriculture to the extent necessary to prevent curtailment of opportunities for employment. These provisions set limits on such employment and prescribe safeguards to protect full-time students so employed and full-time employment opportunities of other workers. 29 CFR Part 519 sets forth the application requirements, the terms and conditions for the employment of students at subminimum wages.